

**CITY COUNCIL WORK SESSION
CITY OF WATERTOWN
December 13, 2010
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: COUNCIL MEMBER ROXANNE M. BURNS
 COUNCIL MEMBER JOSEPH M. BUTLER, JR.
 COUNCIL MEMBER TERESA R. MACALUSO
 COUNCIL MEMBER JEFFREY M. SMITH
 MAYOR GRAHAM

ALSO PRESENT: MARY M. CORRIVEAU, CITY MANAGER
 ATTORNEY JAMES A. BURROWS

City staff present: Kurt Hauk, James Mills, Kenneth Mix, Michael Lumbis, Brian Phelps

J B Wise

Mayor Graham stated that looking at the J B Wise parking lot was beneficial in order to view the possible proposals in person.

Mr. Hauk presented to Council slides showing driveway slope and vehicle trajectory. He reviewed with Council the layout of handicapped parking spaces and the driveway locations.

Council Member Burns inquired how much it would be to change the handicapped parking spaces.

Mr. Hauk replied that it would be minimal.

Mrs. Corriveau noted that there is some concern about vans and delivery vehicles blocking the crosswalk.

Mr. Hauk replied that parking in the area in question will block the driveway and noted that there is a 30 foot difference between the two drop off points.

Council and staff discussed changing the handicapped spots by moving them to the periphery and addressing the drop off locations in the parking lot for the doctor's office. Also discussed were the width of the sidewalks and the island area located just outside of the parking garage. It was questioned whether it would be beneficial to move that island to help with the drop off issues.

Mrs. Corriveau mentioned moving the road toward the handicapped parking spaces which would take care of some issues but noted that the City would need cooperation on the part of the property owners.

Council Member Smith said he believed that the entrance to the J B Wise lot is not needed and that the traffic study shows the new road creates problems that do not currently exist. He voiced his concern for pedestrian traffic with this new design and wondered why the City is spending money on this project.

Mayor Graham reminded Council Member Smith that he has been present through the majority of this process.

Council Member Smith replied that he has voted against it in the past and that he does not believe there is a true need for this access road.

Mayor Graham noted that the idea for this project was to come up with easy ways to get to this lot from all sides.

Council Member Smith said that downtown does not lose shoppers because of people's inability to access the J B Wise lot. He noted that people can find their way using the way-finding signs installed all around the City and downtown area.

Council Member Burns commented that she has voted 'no' to this project in the past due to its high cost and said she questions the need for it at this point. However, she said, the plans have been in the works for years and with recommendations from so many parties it is late in the game to question the project.

Mayor Graham asked if the general consensus is to eliminate the road.

Council replied it is not their wish to eliminate the road.

Mayor Graham continued saying that the project has been approved on so many occasions and will move forward.

Mrs. Corriveau noted that there is some concern for patients trying to access the doctor's office.

Mayor Graham retorted that he is not accepting the premise that those who advocated this project have no concern for the elderly.

Mrs. Corriveau chided that the big concern is the drop off for patients.

Dr. Frank Rhode addressed Council noting that his concern is that there may not be enough handicapped parking spots to accommodate the patients that visit the building.

Council Member Smith asked if multiple vans and ambulances are at the building, how the configuration will accommodate the standing vehicles.

Mr. Hauk replied that if the road is relocated, one spot would be kept where it is now.

Mrs. Corriveau suggested the possibility of a property swap to get another drop off spot by moving the road.

Council Member Butler noted that while walking in the crosswalk, a pedestrian can easily spot a vehicle at the top of the road but said there is some concern when driving conditions are slippery.

Council Member Burns inquired who designed this project.

Mr. Hauk said that Lu Engineers was the designer.

Council Member Burns said it may be a good idea to have a representative present to explain their thoughts on this project and voiced her concerns regarding expenses if this project gets delayed due to second-guessing.

Mayor Graham noted that there is an obvious hourly cost involved with that and any answers needed can come from Mr. Hauk. He added that if re-engineering needs to be done, it can be accomplished by in-house staff.

Mrs. Corriveau suggested leaving four handicapped spots where they are and adding four more toward Empsall's Plaza for a total of eight spots.

Council Member Burns said that is a good suggestion and also said pulling into the parking garage to drop off or pick up works well to alleviate congestion at the drop off location.

Mayor Graham asked when the contractor is due to start work.

Mr. Hauk replied that they were going to start last week but now they are hoping to begin by the end of this week and have until next September to finish. He strongly recommended getting all changes in place now so the project is not impeded.

Mayor Graham recommended moving ahead to make changes to include eight handicapped parking spots.

Mrs. Corriveau said that staff will look at that possibility.

Gaffney Drive

Attorney Burrows told Council that he contacted the attorney for Stateway Plaza two separate times in November and has not heard back from them. He noted that the public hearing on the matter closed on October 4, 2010, and a 90 day window to render a determination of findings ends on January 2, 2011. Attorney Burrows said that Council has a rough draft of salient points, a key component to condemnation.

Mayor Graham asked what their strategy in this process.

Attorney Burrows replied that he is not sure but it looks like they would like to negotiate for monetary gain.

Mayor Graham suggested moving ahead with the proceedings as the City has made a commitment to fix sewer issues and to do that is not acceptable.

Attorney Burrows explained to Council the next steps in the process including adoption of a resolution with SEQR.

Council Member Smith noted that taking over existing easements would have the least impact on businesses in that area and referred to item 26 in the list of points.

Attorney Burrows replied that is something to take a look at and that he added much more information than law requires.

Council Member Burns asked if the City moves ahead with eminent domain, the idea is to enhance the plaza and if that works toward the City's advantage for these proceedings.

Attorney Burrows noted that the Court gets involved with regard to legitimate public purpose.

Mayor Graham stated that Council should move ahead and draw up a resolution for the meeting of December 20.

Creekwood

Mayor Graham asked if the exemption is considered an alternative to the Empire Zone since it no longer exists.

Mrs. Corriveau noted that Article XI allows for an exemption up to 100 percent for up to 40 years.

Council Member Butler asked what the City stands to forgo with this exemption.

Mr. Phelps replied, using Summit Woods as an example, that the property is worth approximately \$5 million with land being worth \$400,000. He noted, however, that the land is taxable and the exemption would equal about \$35,000 for City taxes.

Council Member Butler noted that low income represents 75% of the project.

Mrs. Corriveau said that the remaining can be market rate but could also be subsidized.

Council and staff further discussed why Empire Zones disseminated, Section 485(e) of Real Property Tax Law and reimbursements.

Council Member Burns stated that 485(e) was not successful because it was portrayed as an economic tool. She said that this project fits a need that exists in the community.

Council Member Butler asked if the City can change the terms in the future.

Mr. Phelps replied that it appears as though the City has much leeway.

Council Member Butler suggested an exemption rate schedule of 75% for years 1-8; 50% in year 9; 25% in year 10 and full taxation by year 11.

Council Member Smith asked if the development will be exempt from mortgage tax.

Mrs. Corriveau replied that it will but under Article XI will not be exempt from sales tax.

Council Member Smith noted that if new housing units are built it creates a shift from private property owners to subsidized housing, adding that private owners cannot compete with large developments, which in the long run creates a vacuum.

Mrs. Corriveau agreed that it could be a potential problem but there are people who want to live in the City because of the plethora of services here.

Council Member Burns commented that issue that has come up is recalcitrant landlords taking advantage of tenants and this can hold some property owners 'feet to the fire.'

Council Member Smith stated he is concerned for the private property owners in the City.

Mayor Graham said it can be argued that BAQ has an impact on the market.

Mrs. Corriveau added that this development is for the portion of the market that has no buying power.

Council Member Smith asked if there are any negatives for the proposed Ogilvie project site.

Mrs. Corriveau replied that it is not the same market, as the Ogilvie site is single family homes. Mayor Graham suggested having legislation before Council for the next meeting or for the first one in January.

Council Member Smith recommended setting a public hearing on the matter.

Attorney Burrows replied that it could be done but people have the opportunity to speak out during privilege of the floor.

Mrs. Corriveau asked Council if refuse and recycling should be left in place.

Council replied yes.

Council Member Butler added that he suggests collecting some taxes.

Attorney Burrows reminded Council that new state building codes come into play with this development.

Mrs. Corriveau remarked that landlords with this development will have to be certain they are renting to those who meet specific guidelines and noted that private landlords can rent to whomever.

Review

Mayor Graham said that the annual review for the City Clerk and City Manager is due March 1 and asked Council what kind of review process they would like to use. He suggested moving the topic to the next meeting or for some discussion next week. Mayor Graham noted that there is a desire to move away from a numerical system to meeting with the Clerk and Manager and adopting a set of findings.

Meeting at Library

Council Member Burns told Council the Library Board of Trustees was in contact with the Manager in hopes that Council can meet with them and bring them up to speed on initiatives. She added that this is scheduled for the January 10, 2011, work session at 6:30p.m.

Equity Update Plan

Mrs. Corriveau commented that 498 notices will be sent out to City homeowners, 377 will be notified that their assessments will be increased and 121 will be reduced.

Council Member Butler asked which neighborhoods were reviewed.

Mr. Phelps replied that about half of the City was done, including the hospital district and Paddock, Flower Ave West, Keyes Avenue and Ten Eyck.

Council Member Burns commended Mr. Phelps on the positive public relations maneuver this is for his office.

Council Member Smith inquired about the data and map of the neighborhoods that were reassessed and when that was done.

Mr. Phelps noted that half of the City had been trended.

Council Member Butler asked if the City is at the equalization rate.

Mr. Phelps noted the City is at 90% valuation and the equalization rate is 95%.

LWRP

Mrs. Corriveau told Council that the LWRP is holding a public hearing at City Hall at 7:00 p.m. on Thursday, December 16.

Meeting ended at 9:20 p.m.

Amanda C. Lewis
Deputy City Clerk